



Docket No.: 1293.1771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Young-min CHEONG, et al.

Serial No. 10/622,741

Group Art Unit: 2652

Confirmation No. 4721

Filed: July 21, 2003

Examiner: Allen T. CAO

For: OPTICAL PICKUP DEVICE

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Office Actions mailed January 27, 2005, and July 14, 2005.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

In the Office Action mailed July 14, 2005, the Examiner appears to have intended to recite a portion of claim 3; however, the Examiner's recitation corresponds to the claim as presented prior to Applicants' amendment of April 26, 2005.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 2/10/06

By: 

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